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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,779	03/23/2004	John Gerard Speare	223566	2381
38887	7590	11/14/2005	EXAMINER	
LEYDIG, VOIT & MAYER, LTD. TWO PRUDENTIAL PLAZA, SUITE 4900 180 NORTH STETSON CHICAGO, IL 60601-6780			VO, TED T	
			ART UNIT	PAPER NUMBER
			2191	

DATE MAILED: 11/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/806,779

Applicant(s)

SPEARE ET AL.

Examiner

Ted T. Vo

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>5/19/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the amendment filed on 08/29/2005.

Claims are amended: 1-27.

Claims 1-27 are pending in the application.

Response to Arguments

2. Applicant's arguments in the remarks filed on 08/29/2005 have been fully considered.

Applicants' amendment necessitated a new ground of rejection presenting in this action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). The arguments to the amended claims are moot in view of the new ground of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1-27 are rejected under 35 U.S.C. 102(b) as being anticipated by SealedMedia, "Software Developer's Kit", 2002.

Given the broadest reasonable interpretation of followed claims in light of the specification.

As per Claim 1: Regarding claimed limitation:

A computerized method for updating content in an electronic document, wherein the updating relies on the existence of a persisted policy scheme, the computerized method comprising:

Accepting the electronic document;

Identifying one or more rights management protections associated with electronic document, said rights management protections being defined by persisted policy scheme;

Determining whether the electronic document has exceeded the rights management protections; and

If the electronic document has exceeded the rights management protections, replace a portion of the content of the electronic document with an indicating piece of data such that the content of the electronic document is unavailable"

Figure 2 of SealedMedia shows content sets/categories/electronic documents which are available to a user during the time of license under rights management protections defined by a persisted policy scheme. The user is connected to available documents, e.g. via URLs. If time of license expired, a default URL (See p. 10, second square) would be replaced, or the user sees the item "Not specified" or the item listed under the article name (See p. 8. Figure 2; see p.9-10, Configuring content sets; see p. 11-12, Configuring license templates; see p. 14-15: Validity and expiry).

As per Claim 2: SealedMedia disclose the claimed limitation because it includes email scheme (See p.31: Email gateway).

As per Claim 3: SealedMedia disclose the claimed limitation because it discusses time-based licensing manner (See p.12).

As per Claim 4: SealedMedia disclose the claimed limitation because the appearance of unavailable contents/documents is in ad-hoc manner (e.g. see Figure 2).

As per Claims 5, 10, 15, 19, 23, 27: The Claims have the same functionality as recited in Claim 1. The Claims are rejected in the same reason set forth in Claim 1.

As per Claims 6-9: The Claims have the same functionality as recited in Claims 1-4. The Claims are rejected in the same reasons set forth in Claims 1-4.

As per Claims 11-14: The Claims have the same functionality as recited in Claims 1-4. The Claims are rejected in the same reasons set forth in Claims 1-4.

As per Claims 16-18: The Claims have the same functionality as recited in Claims 1, 3-4. The Claims are rejected in the same reasons set forth in Claims 1, 3-4.

As per Claims 20-22: The Claims have the same functionality as recited in Claims 1, 3-4. The Claims are rejected in the same reasons set forth in Claims 1, 3-4.

As per Claims 24-26: The Claims have the same functionality as recited in Claims 1, 3-4. The Claims are rejected in the same reasons set forth in Claims 1, 3-4.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
Mosher, "Microsoft Adds Rights Management to Email", pages: 1-3, March 2003.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ted T. Vo whose telephone number is (571) 272-3706. The examiner can normally be reached on 8:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Y. Zhen can be reached on (571) 272-3708.

The facsimile number for the organization where this application or proceeding is assigned is the Central Facsimile number **571-273-8300**.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ted T. Vo
Primary Examiner
Art Unit 2191
November 9, 2005